

SOUTHERN DISTRICT OF NEW YORK

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FRANCIS J. HARVEY, JR. and
JEAN P. WILHELM,

Plaintiffs,

07-Civ-6763 (LAP)

-against-

320 OWNERS CORP. and CHARLES LOWERY,
in his capacity as President of 320 Owners Corp.,

Defendants

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AFFIRMATION OF SERVICE BY MAIL

STATE OF NEW YORK)
): ss
COUNTY OF KINGS)

STEPHEN A. SOMERSTEIN, being an attorney duly admitted to practice before the courts of the State of New York, deposes and says, under penalty of perjury, that he is not a party to the instant action, that he is over eighteen years of age and resides 292 Garfield Place, Brooklyn, New York 11215.

On the 20th day of November, 2007, your affiant served the annexed NOTICE OF CONSTITUTIONAL QUESTION and Annexed Exhibits "A" and "B" on the following:

State of New York
Office of the Attorney General
Appeals and Opinions Bureau
120 Broadway-25th Floor
New York, NY 10271

Being the address designated by the respective parties for that purpose by depositing a true copy of same enclosed in a postpaid, properly addresses wrapper, via certified mail-return receipt requested, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

Dated: Brooklyn, New York
November 20, 2007

STEPHEN A. SOMERSTEIN